

City of Broomfield

NUMBER SIX GARDEN OFFICE CENTER • BROOMFIELD, COLORADO 80020 • PHONE (303) 469 3301

July 20, 1988

Mr. Robert Duprey
Regional Director
U.S. Environmental Protection Agency, Region 8
999 18th Street, Suite 1300
Denver, Colorado 80202

Re: NPDES Permit Violations at the Rocky Flats Plant

Dear Mr. Duprey:

The City of Broomfield's Great Western Reservoir is down stream from the Rocky Flats Plant. Great Western Reservoir supplies drinking water to over half of Broomfield's residents. The Rocky Flats Plant's wastewater treatment plant discharges into Walnut Creek, which feeds into Great Western Reservoir on the west side. The Plant has been in violation of its NPDES permit for wastewater discharges for the last four consecutive months.

The City contacted EPA on June 6, 1988, after the third month of violation, to see what type of enforcement action was being taken by EPA. We were informed that EPA was aware of the violations, but had taken no enforcement action. EPA staff was very helpful and cooperative. They offered to meet with DOE/Rockwell and the City to discuss the problem, but explained that they had limited enforcement capability because Rocky Flats is a federal facility. EPA cannot fine DOE because they are another branch of the federal government. This whole situation is outrageous. The City of Broomfield has no protection for their water supply because no one has enforcement over Rocky Flats discharges! Why have an NPDES permit for Rocky Flats if it is not enforceable?

If EPA can't enforce this permit, perhaps they need to give all or part of the Rocky Flats Plant NPDES permit administration to the state. The Colorado Department of Health (CDH) entered into a compliance agreement with EPA and DOE/Rockwell to give the state authority in waste management and hazardous waste activities (under RCRA) at Rocky Flats. A parallel agreement should be drafted to give CDH the same oversight and enforcement authority with regard to the NPDES permit for Rocky Flats, and any other environmental programs where this same question of enforcement for federal facilities can be raised.

ADMIN COR

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The people in Broomfield need to have some assurance that someone has oversight and enforcement over Rocky Flat's operations. We need to know that someone is working to prevent our drinking water from being contaminated. DOE/Rockwell must be held accountable for any environmental degradation that might occur due to any of their operations. Since EPA can't provide us with this protection, we need to develop another mechanism or agreement that works for federal facilities.

The City requests your comments on this matter and any recommendations you may have to help resolve this dilemma.

Sincerely,



George Di Ciero
City Manager

GD/kk

cc: Governor Roy Romer
Senator Tim Wirth
Congressman David Skaggs